

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DIANE POLAND,)
)
Plaintiff,)
)
v.) C.A. No. 04-217 (GMS)
)
COMPUTER SCIENCES CORP.,)
)
Defendant.)
_____)

**APPENDIX TO DEFENDANT'S OPENING BRIEF IN SUPPORT OF
ITS MOTION FOR SUMMARY JUDGMENT**

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Date: May 6, 2005

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IN THE UNITED STATES DISTRICT COURT
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DIANE POLAND,)
)
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v.) No. 04-217 (GMS)
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COMPUTER SCIENCES CORP.,)
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Defendant.)

Deposition of DIANE POLAND taken pursuant to notice at the law offices of Potter, Anderson & Corroon, 1313 North Market Street, The Hercules Plaza, Sixth Floor, Wilmington, Delaware, beginning at 9:10 a.m. on Wednesday, March 30, 2005, before Kathleen White Palmer, Registered Merit Reporter and Notary Public.

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1 A. Half hour, I guess, last night and maybe 15,
2 half hour this morning.

3 Q. Did you talk to anybody else about your
4 deposition other than your attorneys?

5 A. No.

6 MR. MARTIN: Off the record for a moment.

7 (Discussion off the record.)

8 BY MR. SEEGULL:

9 Q. Miss Poland, we are obviously going to be here
10 probably the whole day and we'll be getting into more
11 details of your case, of course, but I want to get an
12 overview of what the case is about, if I can.

13 Of course, you filed a complaint against
14 the company, and in that complaint you have several
15 claims. I believe your first claim is an Equal Pay Act
16 claim where, specifically, you claim that men were paid
17 more than women; is that correct?

18 A. No. When I went to the Department of Labor, I
19 went on a discrimination claim and investigations found
20 the other facts. I didn't know about the gender.

21 Q. I'm saying in this lawsuit, not what you
22 originally claimed, necessarily, to the Department of
23 Labor, but in this lawsuit you brought a claim that men
24 were paid more than women; is that correct?



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1 A. That's correct.

2 Q. Specifically you're claiming that that happened
3 in the group supervised by Dawn Dworsky?

4 A. Yes.

5 Q. That is your first claim, and that's the Equal
6 Pay Act claim; correct?

7 A. Well, you keep saying that's my first claim. My
8 first claim was discrimination.

9 Q. I don't mean first in terms of order, but that's
10 one of your claims. Let's put it that way.

11 A. Okay. Yes.

12 Q. Another one of your claims is that you suffered
13 discrimination with respect to promotion based upon your
14 race; is that correct?

15 A. Yes, that's correct.

16 Q. Here you believe that Randall Miller and
17 MaryAnne Doll-Johnson, both of whom are white, as I
18 understand it --

19 A. Yes.

20 Q. -- were promoted ahead of you because they are
21 white and that you are African-American and you were not
22 promoted; is that right?

23 A. Not totally. Randy Miller was the only person I
24 believe that should not have been promoted over me.



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1 Q. Fair enough.

2 That you believe that Randall Miller was
3 promoted ahead of you because he's white and you were not
4 promoted because you are African-American?

5 A. Because he's white and because he happened to be
6 a friend of Dawn Dworsky's.

7 Q. So you're claim racial discrimination; correct?

8 A. Yes.

9 Q. Then you have two more claims.

10 Another one of your claims is that you were
11 retaliated against because you were terminated for filing
12 a charge of discrimination and for complaining about
13 discrimination; correct?

14 A. No. I was retaliated against because I went to
15 HR to complain about Dawn Dworsky and her discrimination
16 against me. And then subsequently they fired me.

17 Q. Let me see if I understand you.

18 You're claiming that you were subject to
19 unlawful retaliation because you complained of
20 discrimination and the way they retaliated against you --

21 A. One of the ways, yes.

22 Q. -- and they terminated you when you were on
23 medical leave, and we are going to get into the details
24 of that later; is that correct?



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1 A. That's correct.

2 Q. Was there some other way that they retaliated
3 against you other than terminating you?

4 A. Yes.

5 Q. What is that?

6 A. There were several things.

7 Q. Go ahead.

8 A. Do you want to get into detail?

9 Q. We don't have to get into detail. Can you just
10 categorize in some way if you can -- if you can't, we'll
11 deal with it later, but if you can generally categorize
12 the nature of the retaliation?

13 A. Generally work was taken from me. I was banned
14 from communication from the team. I was -- I could not
15 meet with anybody on the team. I couldn't talk to them.
16 And people in HR were given instruction not to talk to
17 me.

18 Q. Have you finished your answer?

19 A. Yes.

20 Q. Any other way that you've been retaliated
21 against other than the ways -- let's call that isolation.
22 Is that fair to say that you were isolated, you felt?

23 A. Yes.

24 Q. So that you were isolated from the group, you

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1 felt, and in addition you were terminated, those were the
2 ways that the company retaliated against you?

3 A. Some of the ways, yes.

4 Q. Is there anything else that we haven't talked
5 about? We are going to explore all the details of that.
6 But anything else other than those two things?

7 A. Well, that was just the generalization, so yes.

8 Q. We'll get into the specifics of that later.

9 Then your last claim is that you have
10 brought a claim based on the breach of the covenant of
11 good faith and fair dealing, and what is that claim based
12 upon?

13 A. I don't understand that question.

14 Q. You brought a claim in your complaint for the
15 breach of the covenant of good faith and fair dealing.
16 What is that claim and what is it based upon?

17 A. I don't know what good faith and fair dealing
18 means. I don't know what you're saying.

19 Q. Do you know what the supposed breach was?

20 A. No.

21 Q. Let's go back.

22 Have we now talked about all of your claims
23 in general terms?

24 A. Yes.



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1 Q. Have you ever been in the military?

2 A. No.

3 Q. When did you first contact an attorney to handle
4 your case against Computer Sciences Corporation?

5 A. I don't remember the exact date, but I know it
6 was after I had spoken with the Department of Labor and
7 they did their investigation, and after working in
8 meetings with HR at CSC, sometime after that.

9 Q. Would this have been in 2001?

10 A. Yes.

11 Q. Late 2001?

12 A. Yes, I would say late 2001 because the real
13 issues began approximately June, so yes.

14 Q. The real issues you think began in June of 2001?

15 A. Approximately, yeah.

16 Q. Was the attorney you contacted Mr. Martin?

17 A. No.

18 Q. Who was the first attorney you contacted?

19 A. He was in Philadelphia. I don't remember his
20 name, but it was a law office in Philadelphia.

21 Q. Did he represent you?

22 A. No. I went in for a consultation and that was
23 pretty much it.

24 Q. Who was the first attorney you contacted that



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1 A. How long did she take care of me?

2 Q. Yes.

3 A. For a long time. Probably -- a long time. At
4 least two -- maybe two to three years after that.

5 Q. So was that from the middle of 1985 until about
6 the middle of 1988?

7 A. About -- no, actually. Maybe about '87.

8 Q. So maybe about two years?

9 A. Yes, yes.

10 Q. During that time you weren't working or going to
11 school?

12 A. I wasn't working. I got a job at some point,
13 but I don't remember. I worked for the State.

14 Q. The State of Pennsylvania?

15 A. Yes. United States government.

16 Q. Oh, the United States government?

17 A. Mm-hmm.

18 Q. You have to answer yes.

19 A. Yes, yes. I'm sorry.

20 Q. That's okay.

21 A. I'm just trying to remember. I think I worked
22 for the Social Security Administration after I got
23 better.

24 Q. I'm going to turn to your resume on the second



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1 page. You have a section on "Work History." I think you
2 got this in reverse chronological order, that being that
3 on the bottom of that section is the earliest position
4 you held and moving up from there; is that correct?

5 A. Correct.

6 Q. So just starting at the bottom, it says you were
7 a fiscal technician in the Office of Financial
8 Operations?

9 A. That's correct.

10 Q. That was in the Social Security Administration?

11 A. Yes.

12 Q. You did that from 1987 until 1993?

13 A. That's correct.

14 Q. Where was that?

15 A. In Philadelphia. It used to be at 3535 Market,
16 but they're not -- they're no longer in that building.

17 Q. What does it mean to be a fiscal technician?

18 A. At the time I administered grants with the
19 professionals there. I was their administrator. They
20 would bring in the grants and I would take care of those
21 files for them.

22 Q. How do you go about administering grants? What
23 does that involve?

24 A. For me it just involved filing the paperwork



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1 that was put on my desk and returning it to them to speak
2 with the grantee.

3 Q. Do you have any children?

4 A. Yes.

5 Q. How many children do you have?

6 A. A son.

7 Q. How old is he?

8 A. Eighteen.

9 Q. So what is his date of birth?

10 A. October 27th, 1986.

11 Q. So you obviously had your child while you were
12 suffering from the kidney condition?

13 A. No. I was better by then.

14 Q. So what were you doing at that point in time if
15 you weren't working and you weren't going to school in
16 1986? What were you doing?

17 A. I was at home with my mom.

18 Q. You weren't sick; correct?

19 A. I was better. I was still on meds, but I was
20 better. I didn't have the pain.

21 Q. Who is your son's father?

22 A. Woodrow Wilson, Jr.

23 Q. You married Mr. Wilson in 1991?

24 A. No. We divorced in '92.



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1 Q. I'm sorry. So when did you get married?

2 A. We got married, I believe, it was August of
3 1986, I guess. I'm pretty sure.

4 Q. After the Social Security Administration, the
5 next position you held was a civil communications officer
6 for the Public Safety Division at the University of
7 Pennsylvania?

8 A. Yes.

9 Q. That was from 1993 until 1994?

10 A. Yes.

11 Q. What did you do in that position?

12 A. I worked as a civil -- civil communications
13 officer taking calls from university personnel, students,
14 and officers.

15 Q. Is that what a dispatcher does?

16 A. Yes, yes.

17 Q. So you were a dispatcher?

18 A. In essence, yes.

19 Q. The next position you held was in the PENN Card
20 Center, office manager/customer service?

21 A. That's correct.

22 Q. That was from 1994 until 1997?

23 A. Yes.

24 Q. That was at the University of Pennsylvania?



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1 A. Yes.

2 Q. Tell me about that position.

3 A. In that position I worked in the -- I did pin
4 card ID center and I helped one of the persons -- at the
5 time it was one person on staff delivered cards to the
6 clients, meaning the students, the staff, and any
7 visiting people. I had to install card readers,
8 maintenance card readers, and assist the director in any
9 way.

10 Q. So what is a card reader?

11 A. They had them downstairs. If you take your card
12 and you swipe it, it reads it.

13 Q. It's like a magnetic card reader?

14 A. Yes, yes. They were at the time.

15 Q. How do you install these card readers?

16 A. Well, you go out to a site and you find out what
17 the client wants, what they want the card reader to be.
18 Find out if wires can be taken down to the site. I would
19 go out after the telecommunications officers would go out
20 and run the wires and then I would just go out and attach
21 the card reader itself to that.

22 Q. You didn't actually do the wiring? All you did
23 was attach the card reader?

24 A. The hardware.



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1 Q. Attaching the card reader?

2 A. Mm-hmm.

3 MR. MARTIN: Yes?

4 THE WITNESS: Yes.

5 MR. SEEGULL: Off the record.

6 (Discussion off the record.)

7 BY MR. SEEGULL:

8 Q. Was there any computer programming involved in
9 that?

10 A. Some, yes. I had to -- depending on what the
11 client needed and who needed access, I put that in the
12 system before I would go out and install the readers.

13 Q. Okay.

14 A. So when someone swiped the card, it would admit
15 them or decline them.

16 Q. So you would have to use certain software
17 application?

18 A. Yes.

19 Q. What was the application you used?

20 A. At the time we are using Oracle, GMC at the
21 time, Card One I believe it was at the time, and Oracle.
22 And UNIX system for the database.

23 Q. You weren't actually doing the programming? You
24 were doing the data entry into these programs?



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1 A. Correct.

2 Q. So there was a menu that you'd go into and
3 fields you'd have to fill out?

4 A. Yes.

5 Q. How would you know what information to put into
6 these fields?

7 A. I would receive that from the client. It was
8 just information on who was being admitted.

9 Q. So in other words, your manager or the client
10 might say Jim Jones is coming today and we need him to
11 have his card activated?

12 A. Correct.

13 Q. Then you would take Jim Jones' information, and
14 if he had a card number, you would take that information,
15 you'd put it into the system and say allow Jim Jones to
16 enter this building today?

17 A. Yes.

18 Q. I'm giving you an example, but that's the kind
19 of thing that you would do?

20 A. Yes, that's the kind of thing I would do.

21 Q. On top of that you would also attach these card
22 readers to wires that the telecommunications people had
23 set up for you to attach?

24 A. Yes.



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1 Q. Now, I'm not an electrician. How did you know
2 which wires to attach to which wires?

3 A. On-the-job training.

4 Q. So somebody would tell you that the red wire
5 connects to the red wire and the green wire to the green
6 wire, that kind of thing?

7 A. That kind of thing, yes.

8 Q. Is it the equivalent of somebody installing a
9 light in their house?

10 A. I don't know. I've never installed a light. I
11 don't know.

12 Q. From there you went off to Computer Sciences
13 Corporation?

14 A. Yes.

15 Q. That was in 1997?

16 A. Yes.

17 Q. We'll talk about that in a minute.

18 You at some point went on to get further
19 education?

20 A. Yes.

21 Q. That was when? In April 2000 you have listed on
22 your resume; is that right?

23 A. That's correct.

24 Q. That was at Wesley College?



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1 Q. What is Dazel?

2 A. Dazel is an output server that generally manages
3 output from any location, from almost any format, at
4 least at the time that I was working with it. I don't
5 know what it does today.

6 Q. Is it a software program?

7 A. It is a software program, yes.

8 Q. Again, I'm not a technology person, so I'm
9 struggling to understand these terms.

10 But this software program runs on a
11 computer?

12 A. It runs on servers and you can administer via
13 computer, yes.

14 Q. So it runs on a server and then you can access
15 that server through a computer?

16 A. Correct.

17 Q. You took this certification course to learn how
18 to operate the Dazel software?

19 A. Correct.

20 Q. The purpose of the Dazel software is to allow --
21 you say "output," but does that mean printing to be
22 performed?

23 A. Yes, yes.

24 Q. So it allows one computer to send a job to the



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1 printer and then to report back that the print job has
2 been done?

3 A. Yes.

4 Q. You don't actually program Dazel? The Dazel
5 program is already done; is that correct?

6 A. That's incorrect. I built Dazel at the time.

7 Q. Explain that to me. I thought Dazel was a
8 product.

9 A. It is a product. Out of the box it's just a
10 server. In order for that server to perform for the
11 client, you have to set it up to perform to the specs
12 that the client needs.

13 Q. So is it fair to say what you do is you take
14 this Dazel software and you have to implement it?

15 A. That's fair.

16 Q. You have to, I guess, integrate it into the
17 customers' or the clients' system?

18 A. Yes.

19 Q. That means that you have to get the Dazel server
20 to talk to the computers that the company has?

21 A. Generally, yes.

22 Q. Is there a programming language that you do this
23 in?

24 A. It's done in several different languages. So it



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1 would be UNIX, Shell, Perl, and depending on what the
2 client has crossover with Microsoft Networks.

3 Q. So UNIX, Shell, Perl, and crossover with --

4 A. It could crossover with Microsoft Networks.

5 Q. What is Microsoft Networks?

6 A. Microsoft Networks is a server, Microsoft
7 servers.

8 Q. So as somebody working for CSC, you could decide
9 whether or not you wanted to use UNIX or Shell or Perl or
10 this Microsoft Networks to do this, let's say,
11 integration effort?

12 A. I would decide depending upon what the customer
13 specs were.

14 Q. In other words, if the customer was using Shell,
15 then you would have to use Shell and Dazel?

16 A. No.

17 Q. Explain to me how this works because I'm
18 struggling.

19 A. Shell is one of the languages to help Dazel
20 work. Generally the client side would be Microsoft
21 Networks or UNIX System. Perl and Shell were languages,
22 we used to program it to work with those systems.

23 Q. Is it difficult to program with Perl?

24 A. Yes.

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1 each one of these have their own separate language and
2 anybody who uses them finds one more usable than the
3 other, so -- but you have to use them -- it depends on
4 the client which one you use.

5 Q. Now, where did you learn how to use Shell?

6 A. On the job.

7 Q. Which job was that?

8 A. I used Shell prior to CSC when I was actually
9 working for the United States government many, many years
10 before that, but it had changed so much. I learned a lot
11 more working at CSC using Shell.

12 Q. What position did you learn how to use Shell at
13 CSC?

14 A. I first discovered they were using Shell when I
15 was at the help desk, but I didn't have to use it often.
16 I just had to help troubleshoot with it.

17 Q. But you said you didn't have to use it a lot?

18 A. No, because when you are at the help desk, you
19 simply take calls from customers who are having problems
20 and you try to troubleshoot.

21 Q. So you didn't program in Shell?

22 A. No.

23 Q. You said you learned really how to use Shell in
24 a position at CSC. What position was that?



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1 A. When I first went to Managed Print, and
2 technical systems analyst was my position.

3 Q. Technical systems analyst?

4 A. Yes.

5 Q. When was that that you became a technical
6 systems analyst?

7 A. Well, when I was hired at the help desk I was
8 also a technical systems analyst.

9 Q. So is that when you started learning how to use
10 Shell, or was it later on when you were transferred?

11 A. Well, I first started learning to use Shell with
12 the government. I began -- I've discovered that they
13 were using Shell at CSC or for DuPont, which was our
14 client, when I was at the help desk. I became more
15 familiar with Shell when I began to work with Managed
16 Print.

17 Q. When was that?

18 A. I think it was a year after I was hired. I was
19 promoted to the Managed Print team.

20 Q. Is that when you started reporting to Derek
21 Alston?

22 A. Alston, yes.

23 Q. We'll probably have a document that will show
24 when you started working for Mr. Alston.



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1 those programs before you worked for Mr. Alston.

2 A. I used UNIX when I worked for the University of
3 Pennsylvania. A lot of their systems ran on UNIX at the
4 time.

5 Q. Okay.

6 A. And Perl I learned while working for Derek. And
7 Shell I've used off and on through the years.

8 Q. I thought Shell you learned when you worked for
9 Derek.

10 A. I learned to use it more efficient. I didn't
11 have to use it much prior to that.

12 Q. So tell me about your experience with UNIX prior
13 to working with Mr. Alston. Was it only at the
14 University of Pennsylvania?

15 A. Yes.

16 Q. In which position was it that you had to work
17 with UNIX?

18 A. Both positions I held there.

19 Q. Did you do any programming in UNIX --

20 A. No.

21 Q. -- or was it just applications?

22 A. Application usage.

23 Q. When you went to work for Mr. Alston, was that
24 when you started programming in UNIX?



1 A. I did it both. I had to use it as an
2 application as well as program, the back end.

3 Q. Which means programming?

4 A. Yes.

5 Q. Now, how does using it as an application compare
6 to programming? Is one more difficult than another?

7 A. I guess it depends on the person.

8 Q. How did you find it?

9 A. The front end is simple to me and the back end
10 is simple, as well. I didn't find either one too
11 difficult.

12 Q. Is one more technical than the other?

13 A. The back end is always more technical.

14 Q. I would think it would be much more
15 sophisticated skills that are needed to program in UNIX
16 than it does to use an application running on UNIX.

17 A. That's correct.

18 Q. The same would be true for Dazel and Shell and
19 Perl?

20 A. Yes.

21 Q. You didn't program in any of those languages
22 until you started working for Mr. Alston; correct?

23 A. Correct.

24 Q. The application work you did in UNIX at the



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1 University of Pennsylvania involved manipulating the
2 software running on UNIX?

3 A. At times, yes.

4 Q. How much time do you think you spent working
5 with UNIX when you were at the University of
6 Pennsylvania?

7 A. Every day.

8 Q. You used an application that ran on UNIX every
9 day; correct?

10 A. Yes, but my application, if there was an issue,
11 a problem with my application, it generally was something
12 happening in the background, in which case I had to work
13 with the UNIX team.

14 Q. There were UNIX programmers that you'd have to
15 go to?

16 A. Yes.

17 Q. You'd have to get them to fix the problem?

18 A. Yes. We would have to work through what the
19 issues were.

20 Q. Have we now talked about all of your UNIX and
21 Dazel and Shell and Perl experience prior to your time of
22 working with Derek Alston?

23 A. I believe so, at least what you've asked me.

24 Q. Is there anything that I haven't asked you that



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1 A. I did research on the web and CSC came up into
2 my e-mail one day with a position and I applied.

(Defendant's Exhibit 4 was marked for identification.)

5 BY MR. SEEGULL:

6 Q. I am now showing you what has been marked as
7 Defendant's Exhibit 4. I believe it's your application
8 for employment at CSC; is that correct?

9 A. Yes.

10 Q. You filled this out?

11 A. Yes.

12 Q. That's your handwriting from the front page
13 until the last page?

14 A. Yes, it is.

15 Q. You completed this in October of 1987?

16 A. Yes.

Q. And everything on here is true and accurate?

18 A. Yes.

19 Q. If you turn to the second page of Exhibit 4, the
20 first substantive page of the application --

21 A. Yes.

Q. -- you'll see at the bottom there it asks you to
list all of your proficiencies?

24 A. Yes.

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1 Q. You see that you did not list UNIX, Perl, Dazel,
2 or Shell; correct?

3 A. Yes.

4 Q. Is that because they were not proficiencies when
5 you were applying for employment at CSC; correct?

6 A. Correct.

7 Q. Did you read this document before you submitted
8 it to Computer Sciences Corporation?

9 A. Yes.

10 Q. You knew that if you were hired you would be an
11 at-will employee?

12 A. Yes.

13 Q. Which meant that you could be terminated at any
14 time for any reason with or without cause or notice?

15 A. Yes.

16 Q. You knew that there was no promise or guarantee
17 that your employment would continue for a definite period
18 of time?

19 A. Yes.

20 Q. What position were you applying for?

21 A. At this time I was applying for the help desk
22 position.

23 Q. Did you know what a help desk person did?

24 A. Yes.



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1 Q. What were you told about the position you were
2 applying for?

3 A. I don't remember everything I was told. I know
4 it was a position opened at the help desk. I know it
5 required me to answer phones, talk to customers, and I
6 knew it required me to troubleshoot applications. And at
7 the time the client was DuPont. I don't remember all
8 that was discussed.

9 Q. Did they tell you what skills you'd need to have
10 in order to work as -- what was the position title?

11 A. It was technical systems analyst.

12 Q. Did they tell you what skills you would need to
13 have for a technical systems analyst?

14 A. They -- not -- no. They just asked me what
15 skills I did have and we talked about that.

16 Q. Who made the decision to hire you?

17 A. I don't know, but I believe the offer letter
18 came from Dawn or Nancy. I'm not sure who made the
19 decision.

20 (Defendant's Exhibit 5 was marked for
21 identification.)

22 BY MR. SEEGULL:

23 Q. I am now showing you what has been marked as
24 Defendant's Exhibit 5. Do you recognize this?



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1 A. Yes.

2 Q. What is it?

3 A. What is it?

4 Q. Yes.

5 A. It's the offer letter I received.

6 Q. It was actually signed not by Dawn, but by Jerry
7 Flowers?

8 A. Yes.

9 Q. Who is Jerry Flowers? Do you know?

10 A. At the time I didn't, but I know who Jerry is
11 now.

12 Q. Who is Jerry?

13 A. He worked for the human resource department.

14 Q. Your position that they were offering you was as
15 a Member Technical Staff B?

16 A. Yes.

17 Q. What's abbreviated as an MTSB?

18 A. Yes.

19 Q. What is an MTSB?

20 A. It's just a Member Technical Staff B. It was
21 what I was hired as.

22 Q. That's a level within the company?

23 A. It was -- it is a position. I don't know that
24 it's a level. B is the level, I guess, because they had



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1 Member Technical Staff A and B. So I was hired as a
2 Member Technical Staff B.

3 Q. Which is the lower of the two?

4 A. Yes.

5 Q. Those are grades within the company, Member
6 Technical Staff B, Member Technical Staff A; correct?

7 A. I think they are levels. I don't know that they
8 are grades.

9 Q. So one level within the company is Member
10 Technical Staff B, the next level up is Member Technical
11 Staff A?

12 A. Mm-hmm.

13 Q. Yes?

14 A. Yes, yes.

15 Q. The next level up is the senior level of
16 technical staff?

17 A. Yes.

18 Q. And that's an SMTS?

19 A. Yes.

20 Q. Do you know what the next level up is from SMTS?

21 A. No.

22 Q. Do you know what the level is beneath MTB?

23 A. No.

24 Q. Are there levels beneath MTB?



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1 A. I don't know.

2 Q. Are there levels above SMTS?

3 A. I don't know. I assume there are because there
4 are managers. I assume they are above that.

5 Q. You were given an annual salary when you started
6 of \$41,000?

7 A. Yes.

8 Q. This was approximately six to \$8,000 more than
9 you had been earning at the University of Pennsylvania?

10 A. Approximately, yes.

11 Q. You believe that was a fair starting salary?

12 A. Yes.

13 Q. At the time that you were hired, the highest
14 degree that you had obtained was a high school diploma;
15 is that correct?

16 A. That's correct.

17 Q. That's true today, as well; correct?

18 A. Yes.

19 Q. You read this letter before you signed it?

20 A. Yes.

21 Q. That's your signature and you signed it on
22 November 5th of 1997?

23 A. Yes.

24 Q. You were provided documents when you started



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1 A. I'm noticing it says "Revised" in January of
2 2002, so I don't know that this is the book.

3 | Q. Okay.

4 (Defendant's Exhibit 8 was marked for
5 identification.)

6 BY MR. SEEGULL:

7 Q. I am now showing you what's been marked as
8 Defendant's Exhibit 8. Do you recognize this Employee
9 Handbook?

10 | A. No.

11 Q. Do you have any reason to believe this is not
12 the Employee Handbook you received in November 1997?

13 MR. MARTIN: I'm going to object to that
14 question based upon her previous answer that you may not
15 have picked up. She said she saw something on-line.

16 Q. Go ahead, Miss Poland.

17 A. I don't know if this is the handbook, either.

18 Q. This is the one, if you'll note, it says it's
19 the 1995 version; correct?

20 A. It does say that.

21 Q. In fact, you were given a handbook; correct?

22 A. I was given a handbook.

23 Q. Do you have any reason to believe that this is
24 not the handbook that you received?



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1 A. I don't know about "reason to believe." I don't
2 trust CSC at this point, so I don't know if this is the
3 handbook.

4 Q. Do you have a copy of the handbook you received?

5 A. I doubt it. I don't know.

6 Q. You didn't produce one to us in discovery?

7 A. Right.

8 MR. SEEGULL: Jeff, do you have a copy of
9 the handbook that Miss Poland received?

10 MR. MARTIN: Not that I'm aware of.

11 BY MR. SEEGULL:

12 Q. So you don't have a copy?

13 A. I don't think so. I know I did sign for one,
14 but I don't know if I still have one.

15 Q. So you would have no way of knowing whether or
16 not this was the handbook you received?

17 A. No.

18 Q. You would have no way of knowing exactly what
19 handbook you received at this point?

20 A. At this point, no.

21 Q. So you have no way to dispute that this is the
22 handbook that you received?

23 A. No, I do not.

24 Q. Is that correct?



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1 A. That's correct.

2 Q. You understood it was your obligation to comply
3 with the policies of the company?

4 A. Yes.

5 Q. You understood that if you failed to comply with
6 the policies of the company that you could be terminated?

7 A. Yes.

8 Q. You also understood that CSC had a policy
9 prohibiting discrimination, harassment, and retaliation?

10 A. Yes.

11 Q. You consulted that policy during your
12 employment?

13 A. Yes.

14 Q. There are other policies related to a drug-free
15 workplace and vacation pay and sick leave and leaves of
16 absence and privacy of employee information?

17 A. Yes.

18 Q. You understood it was your obligation to comply
19 with those policies?

20 A. Yes.

21 Q. Of course, you understood that the company had
22 the right to update its Employee Handbook from time to
23 time?

24 A. Yes.



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1 Q. In fact, they did update their handbook;
2 correct?

3 A. According to what you've shown me.

4 Q. Well, do you remember receiving a revised
5 handbook in October 2002?

6 A. No, I don't.

7 Q. Do you remember whether you did or did not?

8 A. I do not.

9 Q. So you might have received it, you might not
10 have?

11 A. Correct.

12 Q. Therefore, you would have no way of knowing
13 whether Defendant's Exhibit 7 is the revised handbook
14 that you received?

15 A. I don't know what this is. I have never seen it
16 till today to my knowledge.

17 Q. You would have no way of knowing whether or not
18 this is a handbook you received; is that correct?

19 A. If I had received it, I would have no way of
20 knowing.

21 (Defendant's Exhibit 9 was marked for
22 identification.)

23 BY MR. SEEGULL:

24 Q. I am showing you what has been marked as



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1 Defendant's Exhibit 9. These are a series of documents
2 you may or may not have seen. They're computer-generated
3 documents from the HR system of the company. I want to
4 go through your salaries. That's why I'm showing you
5 these documents.

6 If you'll look on the first page, it shows
7 that your annualized salary -- do you see that column on
8 the right?

9 A. Yes.

10 Q. It says that you started at \$41,000 and that you
11 received an increase to \$42,025?

12 A. Yes, I see that.

13 Q. Is that correct that you started with the
14 company at \$41,000?

15 A. Yes, it is.

16 Q. Is it correct that you received a raise in May
17 of 1998 to \$42,025?

18 A. I know I received a raise, but if this is what
19 it's saying, I guess that's what it was because I really
20 don't remember what it was.

21 Q. Turning to the next page, it's a similar
22 document just in a slightly different format, or maybe
23 not a different format, just a different place on the
24 page. Again, your salary at that point was \$42,025 and



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1 then you received a raise on May 15th of 1999 that took
2 it to \$43,118?

3 A. I know I received an increase, but I guess
4 that's what it was, as well. The numbers look pretty
5 familiar.

6 Q. Then going to the next year in May of 2000, do
7 you see that your salary at that point had been \$43,118
8 and from there it went to \$46,996.98?

9 A. Yes, I do see that.

10 Q. That was effective on May 13th of 2000?

11 A. I see that, as well, yes.

12 Q. That was when you received a promotion?

13 A. Yes, it is.

14 Q. It was about a \$4,000 raise?

15 A. Approximately, yes.

16 Q. Is that accurate that you received about a
17 \$4,000 raise in May of 2000?

18 A. Yes, that's accurate.

19 Q. The next document is in a slightly different
20 format, but I think it tries to capture the same
21 information. If you look at the far right column, and
22 we've done those last two, but let's start at the
23 second-to-the-last one. Your salary was \$46,996.98 as we
24 said in May of 2000. You then received another increase



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1 to \$49,345.92 in May of 2001?

2 A. Yes.

3 Q. That was a merit increase with a raise?

4 A. It says "Merit Increase" with -- I guess that's
5 supposed to be raise. It says an "R."

6 Q. But, in fact, you received again about a \$3,000
7 raise in May of 2001?

8 A. Yes, approximately.

9 Q. Then in September 2002 it shows not that there's
10 a raise, but it shows that there was a termination, a
11 voluntary termination due to health.

12 A. That's what it shows, yes.

13 Q. That's what it shows. I understand you may not
14 know down to the last penny what you earned, but you are
15 not disputing the numbers that I just read to you?

16 A. No, I'm not.

17 Q. Those accurately reflect what your raises were
18 and what your salaries were?

19 A. I believe so, yes.

20 Q. And the dates of your raises and promotion?

21 A. Yes.

22 Q. In May of 2000 when you received your promotion,
23 you went from an MTSB to an MTSA; correct?

24 A. Yes.



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1 Q. Each year that you were employed at CSC you did
2 receive a raise?

3 A. Yes.

4 Q. Did you also receive bonuses while you were at
5 CSC?

6 A. Yes, I have.

7 Q. How often did you receive the bonuses?

8 A. It depends. Several times a year or once a
9 year. I guess it depended on when they were issuing
10 them.

11 Q. How much were the bonuses that you received?

12 A. It can range anywhere from \$200 to \$1,500.

13 Q. The bonuses were not guaranteed; correct? They
14 were discretionary?

15 A. I believe so.

16 Q. Do you know exactly which bonuses you received
17 and for how much and when?

18 A. No, I don't.

19 Q. Would CSC have that information?

20 A. I would hope so.

21 Q. You started working a reduced schedule in
22 September of 2001?

23 A. Yes, I believe so.

24 Q. That was until February of 2002?



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1 A. Well, no. I think I started reduced schedules,
2 like you said, approximately September of 2001 and up
3 until February.

4 Q. Of 2002?

5 A. Yes.

6 Q. You were working the reduced schedule?

7 A. Yes. I think it was 30 hours a week.

8 Q. So if you were working 30 hours a week, you
9 weren't really receiving your full-time salary, your
10 salary for 40 hours; is that correct? Or is that not
11 correct?

12 A. I don't remember. I don't remember.

13 Q. Well, based on a 30-hour workweek, your annual
14 salary for that time period would have been about
15 \$37,000; right? Is that about right?

16 A. I guess. I don't know. I don't remember. I
17 really was going through a lot at the time, so I don't
18 remember.

19 Q. Well, in fact, your salary was not reduced
20 during this period at all even though you were on a
21 reduced work schedule; correct?

22 A. I don't think so. I don't remember for sure. I
23 don't think so.

24 Q. The reason is because the company gave you paid



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1 A. No.

2 Q. Do you know what the costs were for any of those
3 benefits?

4 A. I don't remember. I know a certain amount came
5 out of my check for those, but I don't remember what the
6 total cost was.

7 Q. Do you know if the company contributed on your
8 behalf to the 401(k) plan?

9 A. I believe they matched. At least that's -- they
10 matched at a certain percentage. I don't remember the
11 rules, but a certain percentage you would request they
12 would match.

13 Q. Let's talk about the first position you held at
14 CSC and that was as a help desk technician. Do you
15 Member Technical Staff B?

16 A. Yes.

17 Q. Can you explain in some detail what you did as a
18 help desk technician?

19 A. I answered calls, calls from the client which at
20 the time was DuPont. I could get calls on desktop,
21 problems that a customer might be having, printer
22 problems, connection to the server problems,
23 telecommunication problems, phone issues.

24 Q. This is a customer calling into a CSC help



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1 staff?

2 A. That's correct.

3 Q. These are end users that are calling in?

4 A. Yes.

5 Q. Is it one piece of software or all kinds of
6 software that the customer is calling in about?

7 A. All kinds of software.

8 Q. Is it hardware as well as software, or just
9 software?

10 A. It could have been, yes. It could be either.

11 Q. So you had to diagnose the problem?

12 A. Correct.

13 Q. If you couldn't figure out what the problem was,
14 you would elevate it to another level?

15 A. That's correct.

16 Q. So starting out you had some experience, but not
17 much experience and so a lot of problems had to be
18 elevated, but then as you gained more experience, less
19 problems had to be elevated?

20 A. No. I started out very well. I didn't have a
21 lot of things that were escalated.

22 Q. You mean you didn't get more experience as you
23 were on the job?

24 A. I always got more experience, but the experience



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1 Q. Did you ever have to go out and visit the
2 customer?

3 A. Yes, but not right away. Maybe once or twice.
4 Not often. That wasn't a policy of the help desk at all.

5 Q. Was it mostly software problems or hardware
6 problems?

7 A. It was both. It was both. One call -- one
8 minute it could be about software and the next call could
9 be about hardware.

10 Q. You didn't use Dazel while you were on the help
11 desk?

12 A. No.

13 Q. Or Perl?

14 A. No.

15 Q. Or Shell?

16 A. No. Well, I'm just aware of them.

17 Q. Or UNIX?

18 A. No. Well, I had to use UNIX.

19 Q. I'm sorry. What was the last thing?

20 A. I was just aware of those software packages. I
21 didn't have to use them to troubleshoot.

22 Q. The same thing is true of UNIX?

23 A. No. I had to use UNIX.

24 Q. Because the application was running on UNIX?



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1 A. Yes.

2 Q. What was the application called that was running
3 on UNIX?

4 A. They had a number of applications, but, I
5 don't -- we did our tickets at the time called PQRs that
6 was one system, but in the background we had something
7 that DuPont used, UNIX and VAX. So by using them, I
8 would remotely log into the UNIX or VAX system if that
9 was the customer's issue.

10 Q. But again, you wouldn't do any programming on
11 UNIX in this position?

12 A. No, no.

13 Q. By the way, do you have a home computer?

14 A. Yes.

15 Q. How long have you had a home computer?

16 A. Awhile now. I'm not sure. Several years.

17 Q. You've never run UNIX at home?

18 A. No. I have a UNIX test software, but I don't
19 run UNIX at home. When I did pager duty, I could log
20 into my UNIX systems, but I don't run it from -- I run on
21 Microsoft at home.

22 Q. So you've never done programming of UNIX at
23 home?

24 A. Yes. The training piece of it. I have a test



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1 BY MR. SEEGULL:

2 Q. I am now showing you what has been marked as
3 Defendant's Exhibit 10. It's titled "Employee
4 Contribution Appraisal" and it is dated April of 1998.

5 A. Yes, I see that.

6 Q. This is your performance review for the 1997 to
7 1998 time frame; correct?

8 A. That's correct.

9 Q. That is, the year for CSC runs from the
10 beginning of April to the end of March of the following
11 year; correct?

12 A. Yes.

13 Q. So this was from the beginning of April of 1997
14 to the end of March of 1998, that year?

15 A. Yes.

16 Q. I see on the first page it says "Description of
17 duties and responsibilities," and it actually goes on for
18 several pages. Then it goes on to "Significant
19 Accomplishments" and "Personal Goals, Objectives and
20 Interests"?

21 A. Yes.

22 Q. Eventually you get to "Review." The pages
23 aren't numbered, so I can't tell you what page it is.

24 A. Yes.



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1 Q. Up until the point of "Review," you completed
2 all of those sections; correct?

3 A. That's correct.

4 Q. Those are things that you typed into the
5 performance review system?

6 A. Most of it. Not all of it.

7 Q. Is there something that you did not type in?

8 A. Yes. I didn't type in the Roman numeral
9 descriptions.

10 Q. Okay. You mean the descriptions of each
11 section?

12 A. That's correct.

13 Q. Okay.

14 A. I didn't type in -- I'm sorry. The pages aren't
15 numbered, but I didn't type in the "Meet following
16 individual CSR objectives" and --

17 Q. So there's a section on the third page of
18 Exhibit 10 which is in a smaller font?

19 A. Yes, it is.

20 Q. So that's not something you typed in? That's
21 something somebody else typed in?

22 A. I believe so. I'm aware of what's written in,
23 but I do not remember typing that in at all.

24 Q. Do you know who typed this in?



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1 A. No. I guess it would be Dawn. I don't think
2 many people would have access to this.

3 Q. To the statistics that are listed there?

4 A. Yes.

5 Q. Other than the heading descriptions and the
6 lower case or small font, anything else that you did not
7 type in up until the point of "Review"?

8 A. Several of the questions I didn't type in. I
9 didn't type in any information where it says who your
10 managers are, next level manager.

11 Q. So on the bottom of the page where it says "Will
12 a next level manager need to approve this appraisal?" and
13 it's written "Yes," and "Next Level Manager's Name:
14 Teresa Carroll" --

15 A. Right.

16 Q. -- and "Will a person on your support staff
17 read/print access to this appraise?" you didn't type in
18 those questions but you did give the answers?

19 A. That's correct, I did give the answers.

20 Q. Anything else that you did not type in?

21 A. Where it says "The Manager's Section should be
22 completed."

23 Q. Again, the heading?

24 A. Right. I can't complete anything in the



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1 manager's section.

2 Q. So up until that point, though, you completed
3 everything that we just talked about?

4 A. All the things that are pertaining to the
5 employee, the employee sections I would have had to type
6 in.

7 Q. You tried to be thorough and complete in your
8 descriptions of your duties and responsibilities?

9 A. Yes. I tried to be.

10 Q. Is it correct that you did not list UNIX, Dazel,
11 Perl, or Shell as anything you did in your job in
12 customer support?

13 A. That's correct, it's not there.

14 Q. That was because it was not any duty or
15 responsibility you had in customer support?

16 A. Well, no. It's because I didn't type it in
17 there because UNIX isn't there. Shell definitely would
18 not have been there and Perl would not have been there.

19 Q. But also isn't it true that UNIX wasn't a part
20 of what you did?

21 A. I troubleshooted UNIX, as well.

22 Q. You just didn't put it in?

23 A. But it's not there. Correct, it's not there.

24 Q. You just forgot to put it in?



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